THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.16899 of 2006

Dated:14-08-2006

Between:

Smt.Kausar Basheer Petitioner

And

Assistant City Planner, Circle-1,
Municipal Corporation of Hyderabad,
Hyderabad and another

Respondents

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THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.16899 of 2006

ORDER:

1. Heard both the counsel.

2. The writ petition is filed for a writ of Mandamus declaring the proposed actions of respondents 1 and 2 in demolition of the shop bearing Municipal No.17-4-268, situated at Yakutpura, Hyderabad, as illegal, arbitrary and in violation of principles of natural justice and constitution of India, consequently declare the notice dated 07-08-2006 issued by respondents 1 and 2 as vague, unclear, null and void and set-aside the same and pass such other suitable orders.

3. The main grievance of the petitioner is that without issuing any show cause notice for filing objections, straightaway issuance of the impugned notice cannot be sustained. In view of the same and in the light of the facts narrated in the affidavit filed in support of the writ petition, the writ petition is disposed of as follows:

4. The first respondent shall treat the impugned notice as show cause notice and permit the petitioner to file objections within a period of 10 days from the date of receipt of a copy of this order if the petitioner chooses to do so and thereafter the first respondent to consider the objections and pass appropriate orders in accordance with law and till then status quo to be maintained.

5. The writ petition is disposed of accordingly. No order as to costs.

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14-08-2006

Stp